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ATTORNEYS FOR THE UNITED STATES

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:12-cv-804-LDG-GWF

v.

CLIVEN BUNDY,

Defendant.

**DECLARATION OF
VICTORIA R. WORFOLK**

I, Victoria R. Worfolk, do declare as follows:

I have personal knowledge of the matters set forth in this Declaration.

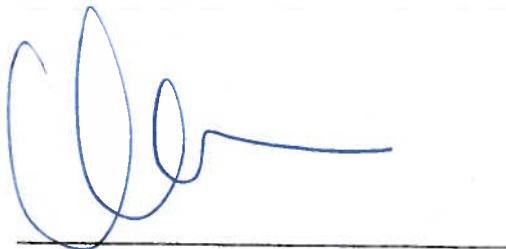
1. I am currently a Law Enforcement Ranger for the Bureau of Land Management (BLM) Southern Nevada District Office (SNDO) located in Las Vegas, Nevada. I have served in this position since 2005. From 2003 to 2005, I served as a Law Enforcement Student Trainee (SCEP) at the SNDO. I am familiar with the Gold Butte Area, and the surrounding area.
2. My normal duties are to patrol public lands, enforce federal laws and regulations pertaining to public lands, and serve as the BLM's SNDO court liaison for criminal matters.
3. I am primarily assigned to law enforcement activities within the Las Vegas Valley. At times, when the Mesquite Resident Ranger is unavailable or requires additional assistance, I am assigned patrols of the Gold Butte Area (including the Virgin River Basin) and/or the adjacent public lands.
4. Based on my experience working for the SNDO since 2003, I am aware there is no authorized grazing within most of the Gold Butte Area.
5. Over the years I have been working with the SNDO, I have observed cattle grazing on public lands within the Gold Butte Area without authorization in areas that are closed to all grazing. I do not normally document those observations during the course of my patrol duties in that area.
6. On July 24, 2012, my Supervisory Law Enforcement Officer directed law enforcement officers in the SNDO to document any observations of unauthorized grazing within the Gold Butte area we might find during our normal scheduled patrols. If we saw trespass cattle, i.e., cattle in an area closed to all livestock grazing, we were directed to document the cattle and document the following information: GPS coordinates, a brief description of the location, date and time of observation, total number of animals present, and how many had identifying earmarks or brands, and how many were unidentifiable. We were also directed to take photographs of the unauthorized cattle. To assist in identifying ownership markings, I received a picture from my Supervisor showing the earmarks and brand registered to Cliven Bundy.
7. On August 8, 2012, I was assigned to patrol the Gold Butte area. During my patrol, I observed a total of approximately 126 cattle grazing on the public lands managed by SNDO that are closed to grazing. These cattle were spread out over an area of approximately 40 miles while conducting my regular patrol duties.
8. Consistent with the direction I received from my supervisor, I kept a record during my patrol of: the time (hour) I observed the cattle, the number of cattle, any general location information, noted whether I found any ownership identifying marks, and took a GPS reading for that location. There were a total of nine discrete locations where I found

cattle and followed this process. See Attachment A: Log of Cattle Sightings; Attachment B: Map of Cattle Sightings.

9. I took photographs of the cattle I observed at each of the nine sites, along with GPS readings.
10. Of the nine locations where I saw livestock, the GPS coordinates were plotted on a map showing the former Bunkerville Allotment boundaries. The GPS readings confirm that all of the observations were on public lands and indicate that five of those locations were outside the former Bunkerville Allotment (sightings 3, 5, 6, 7 and 8), whereas four were within the former Bunkerville Allotment (sightings 1, 2, 4, and 9). See Attachment B. There is no authorized grazing at any of these locations and therefore all cattle located in these locations are unauthorized. All of the cattle I observed were unattended and able to roam freely on the public lands.
11. The first location on public lands at which I observed cattle was from Highway 170 where I saw them near the Virgin River Basin within the former Bunkeville Allotment. See Attachment B. There were approximately six head of cattle within the Virgin River. I was unable to approach the cattle close enough to look for an earmark or brand. See Attachment A. The photograph I took at this location is included as Attachment C: Site #1. The presence of cattle within and near the water indicated their waste would be entering those waters and they were likely consuming vegetation along the river bank.
12. My second location was along Highway 170 near mile marker 5 on public lands at which I observed cattle. See Attachment B. There were some 31 head of cattle, including 2 calves, within the former Bunkerville Allotment at an area along the Virgin River. I was unable to approach close enough to identify any earmarks or brands. See Attachment A. The photographs I took at this location are included as Attachment D: Site #2. As is evident from those photographs, the cattle were located within and adjacent to the river, where they would be depositing waste and consuming vegetation along the river bank.
13. The third location on public lands at which I observed around 40 head of cattle (including 8 calves) was near Gold Butte Road. This location was outside the former Bunkerville Allotment. See Attachment B. I was unable to approach close enough to identify any earmarks or brands on those cattle. See Attachment A. The photographs I took at this location are included as Attachment E: Site # 3.
14. I then came upon the fourth location on public lands at which I observed 5 head of cattle scattered along the Virgin River. This location was within the former Bunkerville Allotment. See Attachment B. I was unable to approach close enough to identify any earmarks or brands on those cattle. See Attachment A. The photographs I took at this location are included as Attachment F: Site #4. The cows were grazing adjacent to and within the water. The cows were unattended, able to roam freely, and depositing waste in and next to the river.

15. The fifth location at which I found another 5 head of unauthorized cattle on public lands was further to the west along the Virgin River outside the former Bunkerville Allotment. See Attachment B. I was able to approach close enough to identify earmarks registered to Cliven Bundy on two of those cows. See Attachment A. The photographs I took at this location are included as Attachment G: Site # 5 and my observations were similar to those at the prior location.
16. My sixth location was on public lands near Juanita Springs where I found another group of 10 cattle (including 2 calves) outside the former Bunkerville Allotment. See Attachment B. I was able to approach close enough to identify earmarks registered to Cliven Bundy on at least 1 cow and 1 calf. See Attachment A. The photographs I took at this location are included as Attachment H: Site # 6. I am familiar with this specific location and have seen salt blocks at this location on prior patrols.
17. From this location, I traveled south on the Gold Butte Byway (also known as Gold Butte Road). Where I came upon 3 head of cattle on Gold Butte Road at a seventh location on public lands, many miles south of the former Bunkerville Allotment. See Attachment B. I was able to identify an earmark registered to Cliven Bundy on one of the cows before they ran off. See Attachment A. The photograph I took at this location is included as Attachment I: Site # 7. When I first spotted the cows, they were sitting in the middle of the road. The presence of these unauthorized cattle in the middle of a road used by the public presents a potential safety hazard, especially at dusk or at night when visibility is limited.
18. Some 40 minutes later, I arrived at an eighth location, a corral had been constructed without authorization on the public lands outside the former Bunkerville Allotment, where I found approximately 20 cattle. See Attachment B. I was unable to identify any earmarks or brands on the cattle because they moved away when I approached. See Attachment A. The photographs I took at this location are included as Attachment J: Site # 8. The cows were near or around the corral, which was open. When I approached the cows, they moved away from the corral towards a wash on the public lands.
19. At approximately 1900 hours, at a ninth and final location on public lands within the former Bunkerville Allotment on my way back to Highway 170. I came upon another group of 11 cattle (including 3 calves) on or near the roadway. See Attachment B. I was able to identify Cliven Bundy's earmarks on four of those cows. See Attachment A. The photographs I took at this location are included as Attachment K: Site # 9. It was nearing dusk with visibility getting lower and fortunately I was traveling at a slow rate of speed because the cows were in the roadway.
20. Within the next couple of days when I was back in the office, I printed off the photographs I had taken of the unauthorized cattle. I also typed up a log summarizing my observations of the trespass cattle. See Attachment A.
21. I have not patrolled the Gold Butte Area since August 8, 2012.

Pursuant to 28 U.S.C. 1746, I declare under penalty for perjury that the foregoing is true and correct.
Signed this 14 day of November, 2012, in Las Vegas, Nevada.



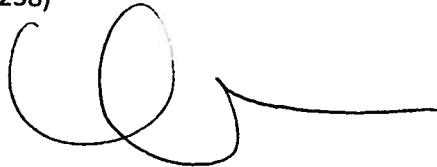
Victoria R. Worfolk

ATTACHMENT A

On August 8, 2012, while exercising my duties on BLM administered lands near the community of Mesquite, NV .I observed a total of 126 head of cattle grazing on public lands without authorization from the Southern Nevada District Office (SNDO). The Cattle were photographed and documented and the GPS and counts are as follows:

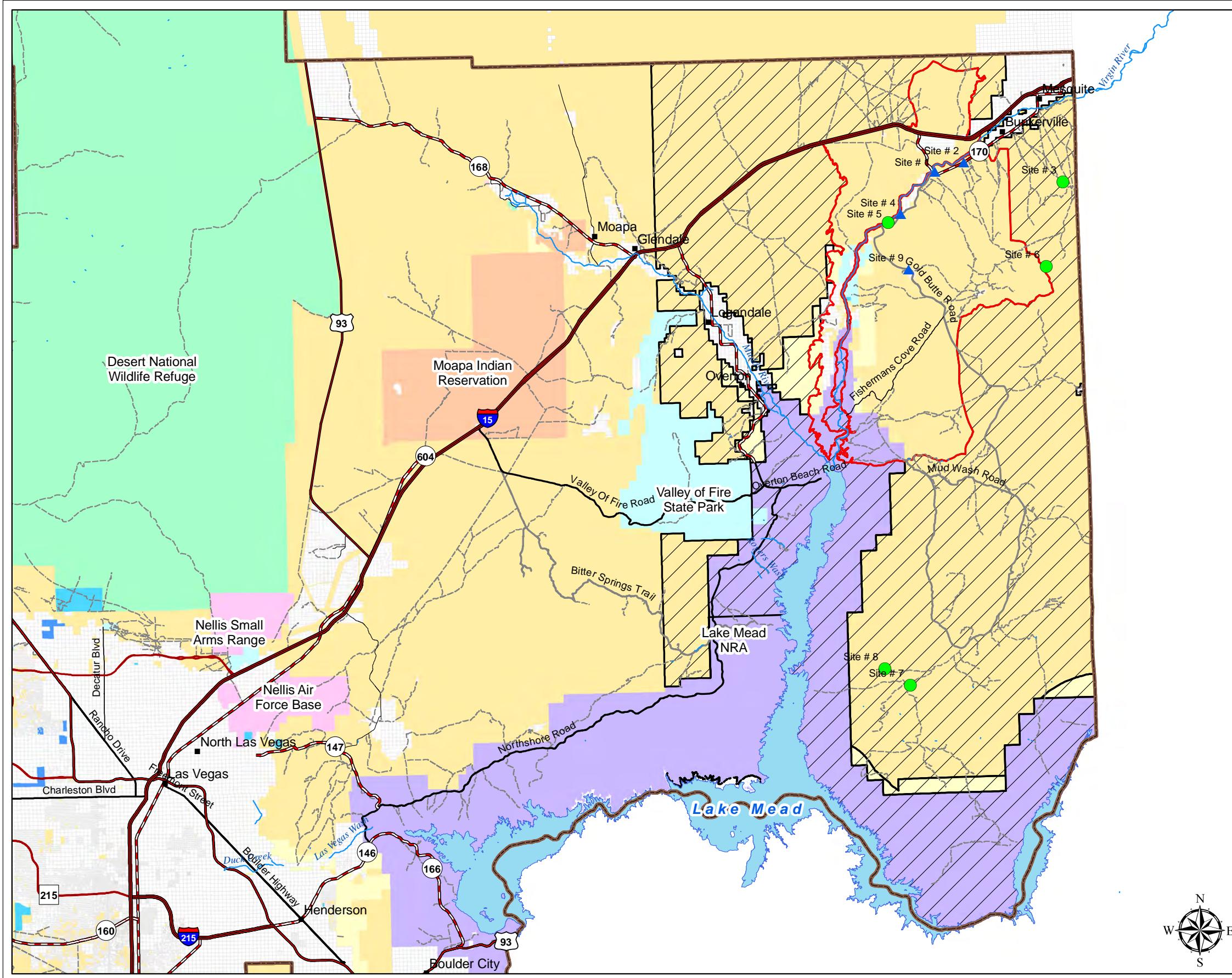
- 1420 hours , 6 head of cattle located Near the Virgin Basin
 - o N 36° 43'59.4"
W 114 ° 13'00.1"
 - Unable able to locate any identifiers
- 1438 hours, 31 head of cattle to include 2 calves located W. Riverside
 - o N 36° 44'29.7"
W114 ° 10'55.9"
 - Unable able to locate any identifiers
- 1449 hours, 40 head of cattle to include 8 calves located near Gold Butte Road
 - o N 36 ° 43'11.1"
W114 °13'58.3"
 - Unable able to locate any identifiers
- 1457 hours, 5 head of cattle scattered along River
 - o N 36 ° 41'39.5"
W114 ° 15'30.3"
 - Unable able to locate any identifiers
- 1503 hours, 5 head of cattle along River
 - o N 36 ° 41'10.7"
W114 ° 16'23.3"
 - Ear cuttings located on 2 cows
- 1516 hours, 10 head of cattle to include 2 calves located near Juanita Springs
 - o N 36 ° 38'25.8"
W114 ° 15'20.6"
 - Ear cutting located on 2 cows
- 1700 hours, 3 head of cattle on Gold Butte Road
 - o N 36 ° 14'50.2"
W114 ° 15'45.8"
 - Ear cutting located on 1 cow
- 1740hours, 15-20 head of cattle located at corral
 - o N 36 °15'47.3"
W114 ° 17'31.7"
 - Unable able to locate any identifiers
- 1900 hours, 11 head of cattle to include 3 calves
 - o N 36 ° 38'30.1"
W114 ° 15'03.4"
 - Ear cutting located on four cows

Nothing Further - V. Worfolk (R238)



ATTACHMENT B

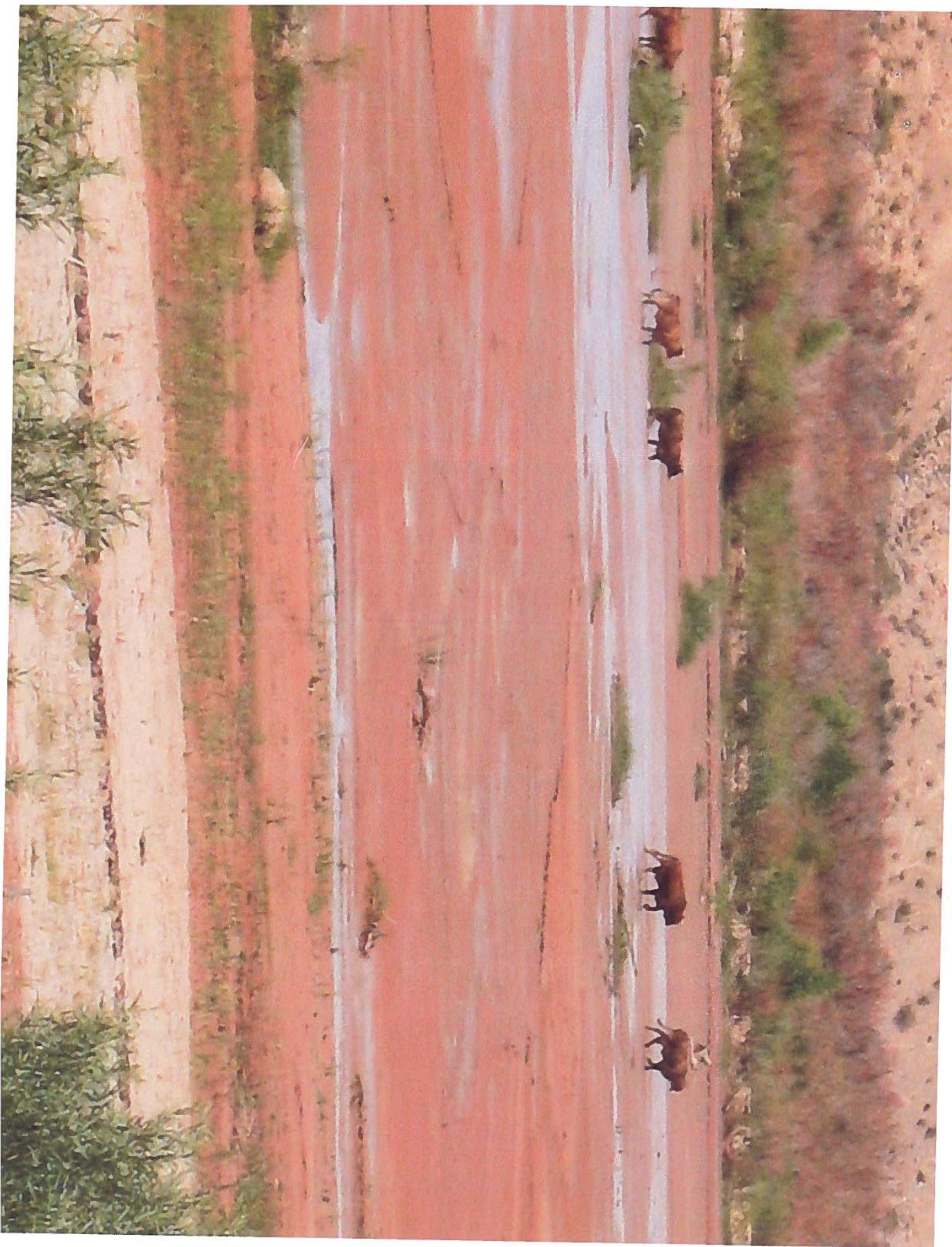
Bundy Cattle
Trespass
Worfolk Sitings
10-19-2012 v2



ATTACHMENT C

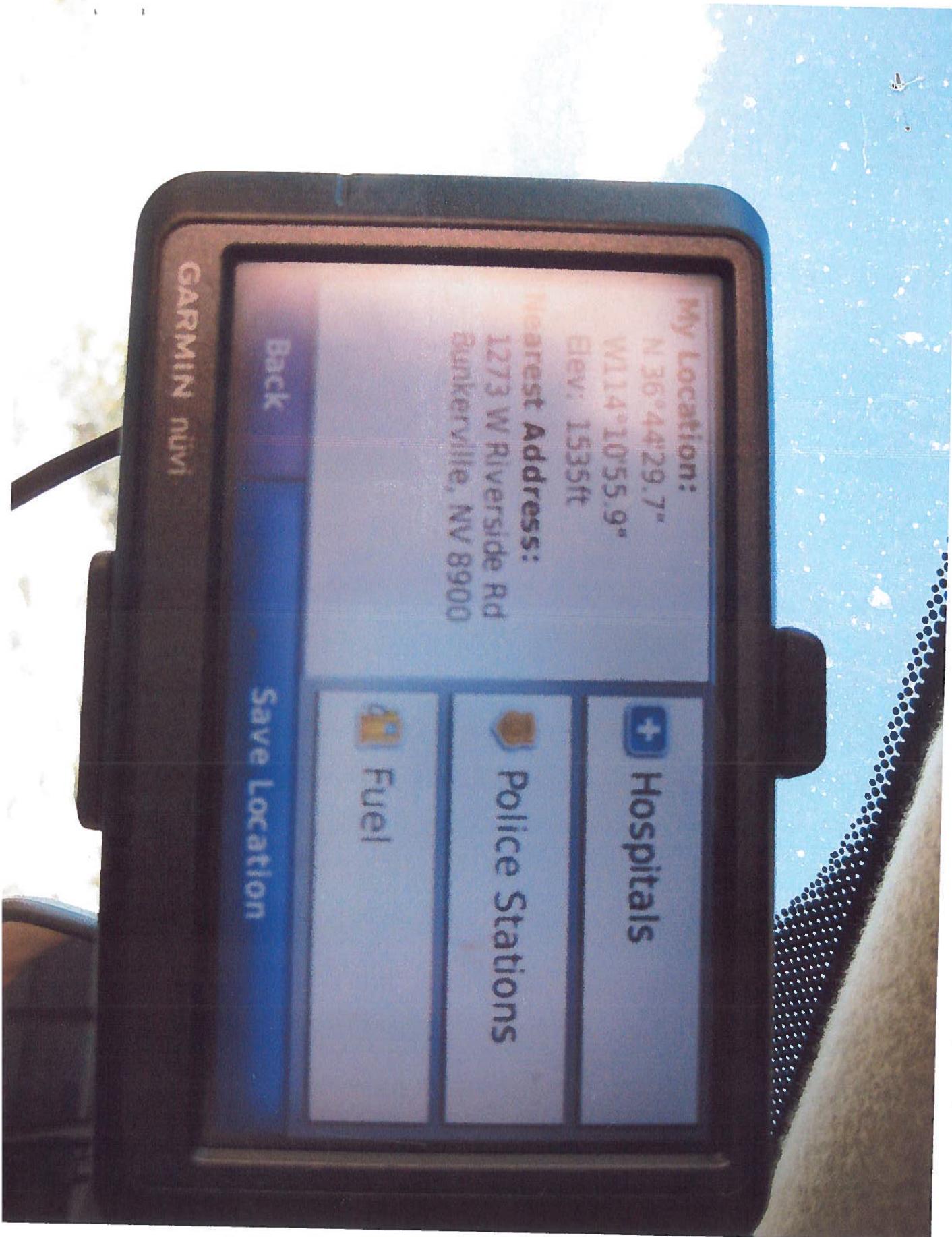
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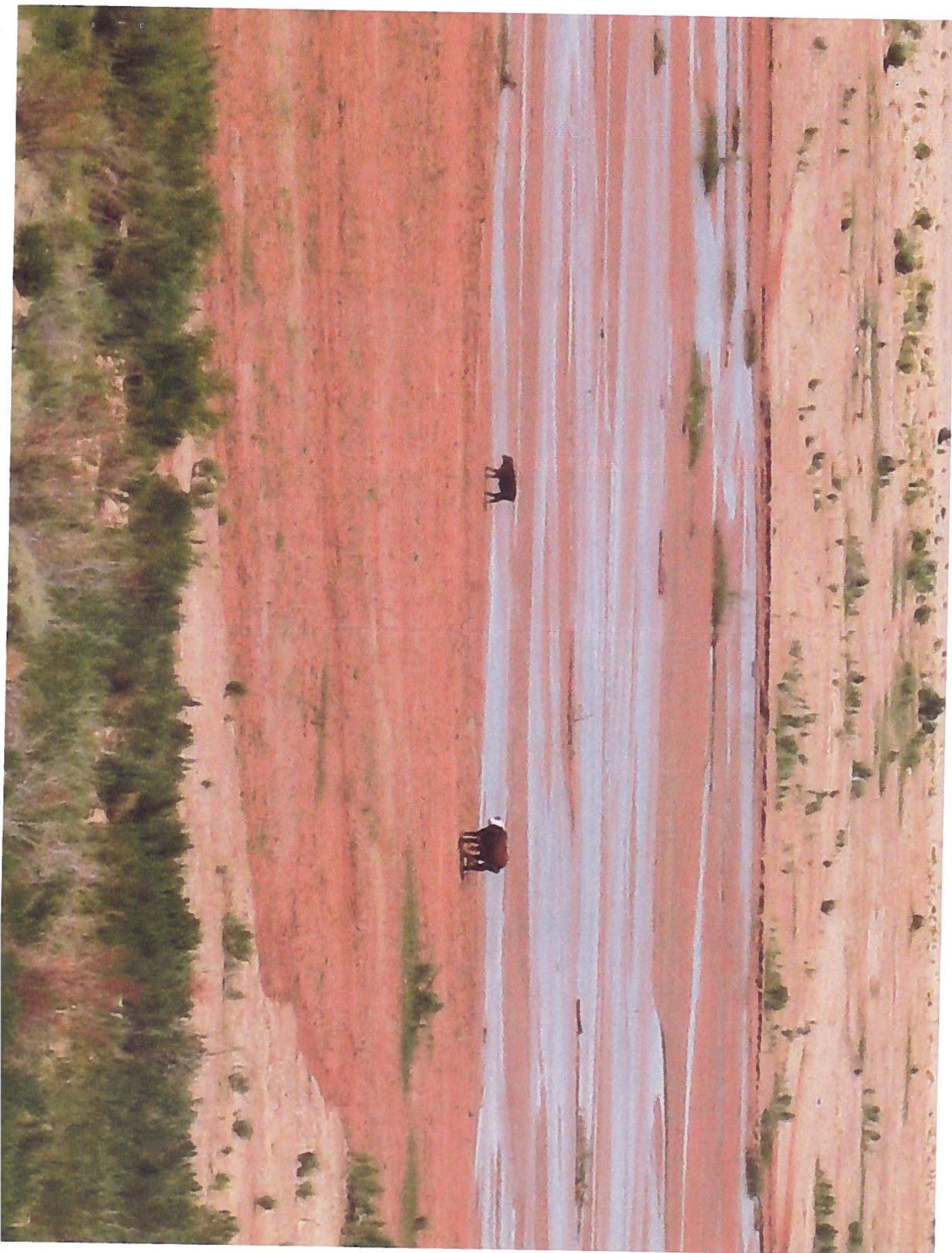


ATTACHMENT D

SITE #2







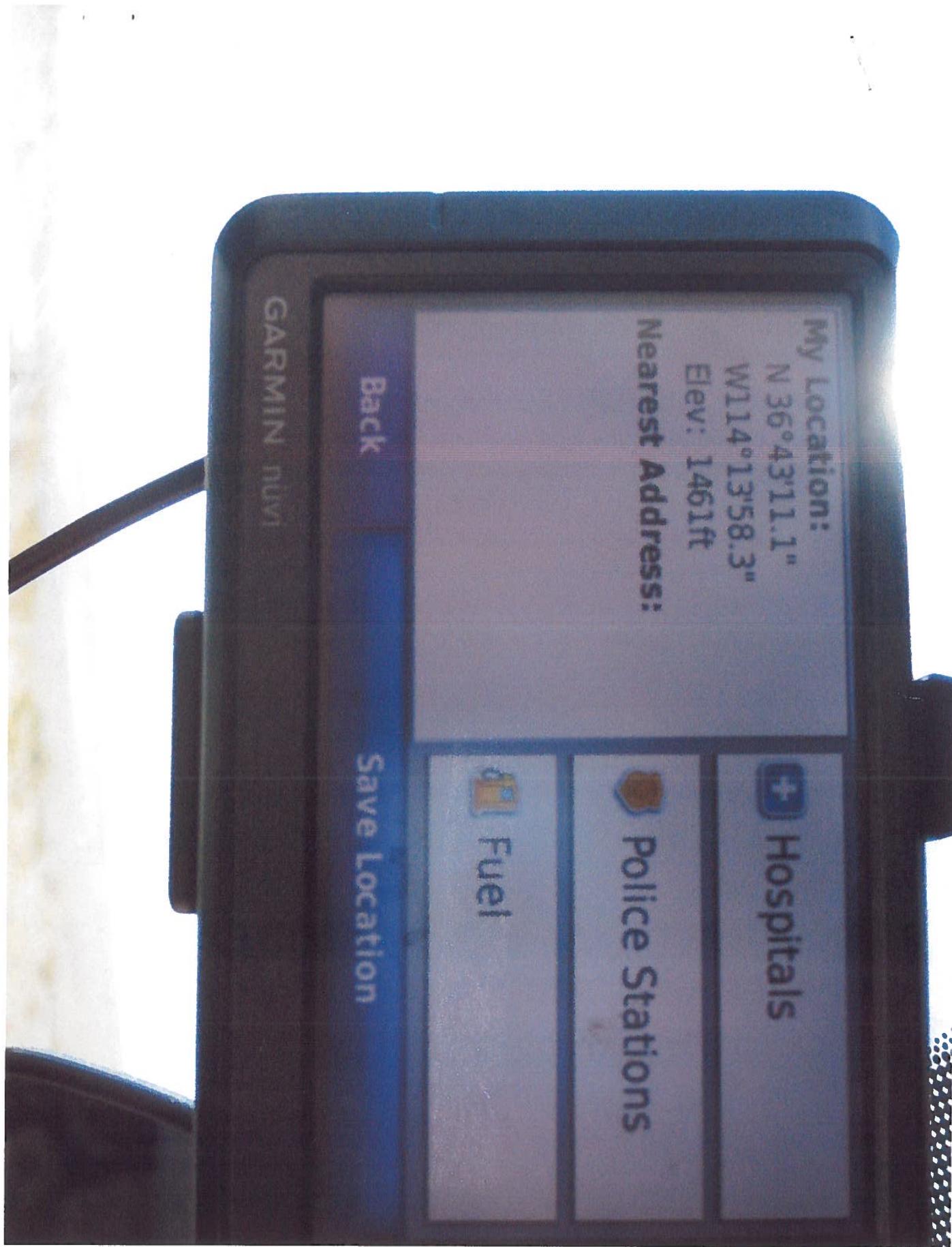




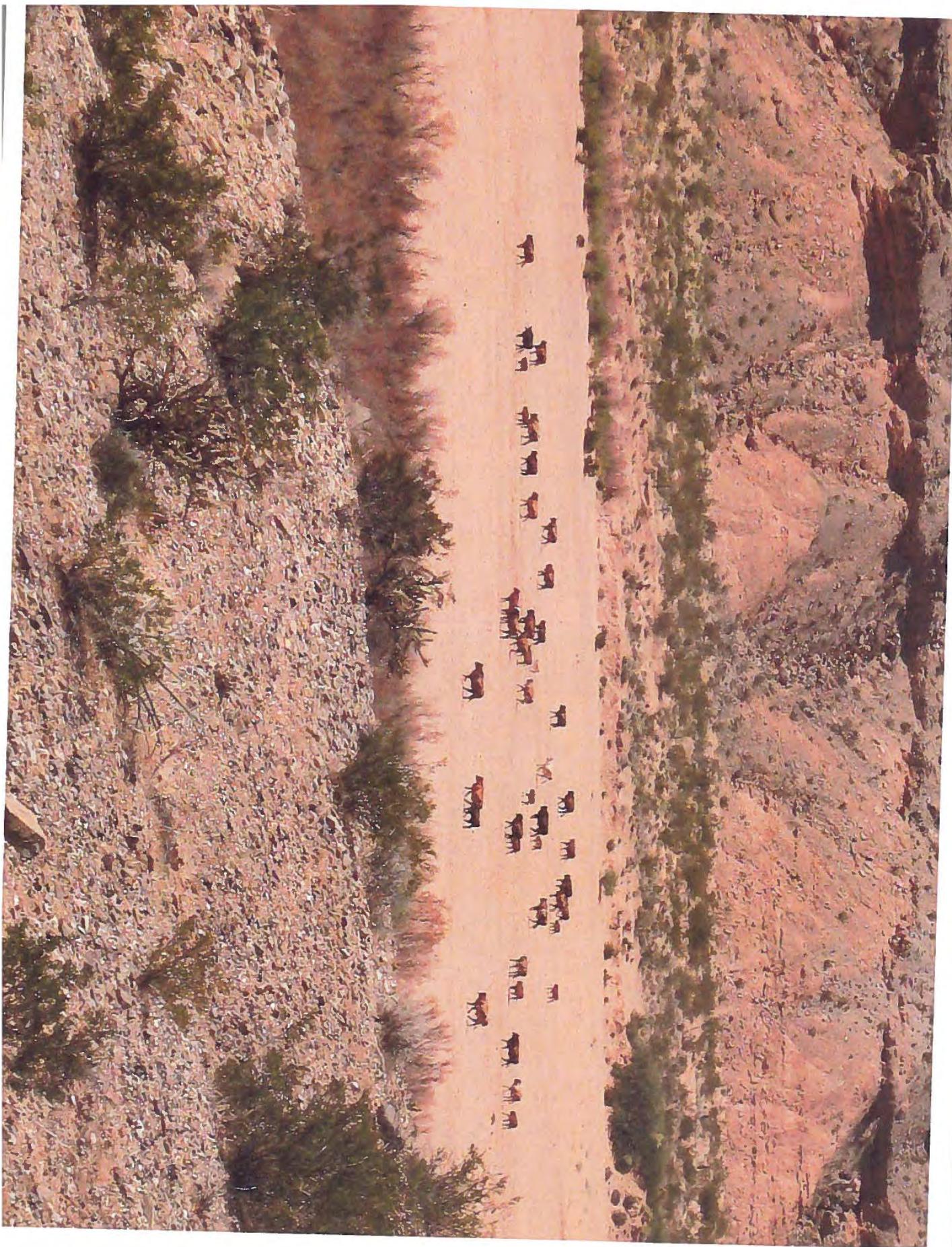


ATTACHMENT E

SITE #3









ATTACHMENT F

SITE #4



ATTACHMENT G

SITE #5

